

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**BROOKLYN BOTTLING OF MILTON,
NEW YORK, INC.**

Plaintiff,

-v.-

ECUABEVERAGE CORPORATION,

Defendant,

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Civil Action No.

07-CV-08483-AKH

**DEFENDANT ECUABEVERAGE CORPORATION'S
MOTION, ON CONSENT, FOR EXTENDING
PLAINTIFF BROOKLYN BOTTLING OF MILTON, NEW YORK, INC.'S
TIME FOR FILING A RESPONSE ON ECUABEVERAGE'S
MOTION FOR SANCTIONS, PURSUANT TO FED.R.CIV.P. 11**

Defendant Ecuabeverage Corporation ("Ecuabeverage") hereby moves, on consent and at the request of opposing counsel, for an Order extending Plaintiff Brooklyn Bottling of Milton, New York, Inc.'s time for filing a Response to Ecuabeverage's *Motion for Sanctions, Pursuant to Fed.R.Civ.P. 11*, filed May 7, 2008, (Docket Entry

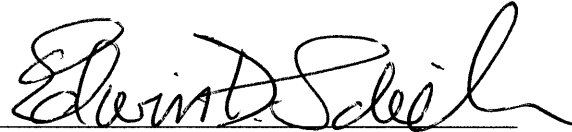
34), until, and including, **June 20, 2008**, so that the parties may explore possible avenues for settlement of this action.

Respectfully submitted,

ECUABEVERAGE CORPORATION

Dated: May 7, 2008

By

A handwritten signature in black ink, appearing to read 'Edwin D. Schindler', written over a horizontal line.

Edwin D. Schindler (ES-7882)

Attorney for Defendant

Five Hirsch Avenue

P. O. Box 966

Coram, New York 11727-0966

Telephone: (631)474-5373

Fax: (631)474-5374

E-Mail: EDSchindler@worldnet.att.net

EDSchindler@optonline.net

CERTIFICATE OF SERVICE

I, EDWIN D. SCHINDLER, attorney for Defendant Ecuabeverage Corporation., hereby certify that I served a complete copy of *Defendant Ecuabeverage Corporation's Motion, on Consent, for Extending Plaintiff Brooklyn Bottling of Milton, New York, Inc's Time for Filing a Response on Ecuabeverage's Motion for Sanction, Pursuant to Fed.R.Civ.P. 11*, upon the following counsel for Plaintiff Brooklyn Bottling of Milton, New York, Inc., via First-Class Mail, postage pre-paid:

Jeffrey E. Jacobson
Bruce E. Colfin
JACOBSON & COLFIN, P.C.
60 Madison Avenue, Suite 1026
New York, New York 10010

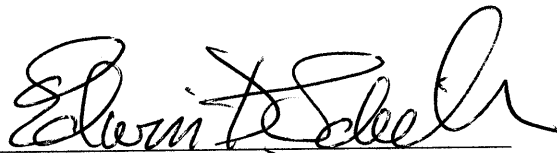
and

via E-Mail at:

jeffrey@thefirm.com

bruce@thefirm.com

on May 7, 2008.

A handwritten signature in black ink, appearing to read 'Edwin D. Schindler', written over a horizontal line.

Edwin D. Schindler (ES-7882)
Attorney for Defendant